

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

---

NEHEMIAS HUERTAS, JR.,

Plaintiff,

v.

Case No. 19-cv-0592-bhl

TAYLOR WAITE, et al.,

Defendants.

---

**ORDER**

---

On January 11, 2021, the Court entered an order instructing plaintiff Nehemias Huertas, Jr. to file a written document with the Court within 14 days explaining what he planned to do to move this case forward with respect to Jennifer Sabatier and Nurse Scott. Dkt. No. 81. Huertas filed a response on January 22, 2021 stating that he did not want to dismiss these individuals from the case, but he has no alternatives for achieving service. Dkt. No. 82. Huertas states, “I ask the court[] to proceed using its discretion.” *Id.* As explained in the Court’s prior order, the Court believes that the best way to move this case toward resolution is to dismiss these individuals from the case without prejudice and continue with the remaining defendants who have appeared and answered. Accordingly, the Court will dismiss Jennifer Sabatier and Nurse Scott from this case without prejudice.

The Court will also deny defendants Waite and Murry’s motion to strike three documents (letters and exhibits) from the record. Dkt. No. 73. Although the Court is aware that Huertas’ letters and exhibits may be unnecessary and/or immaterial/impertinent, he is not yet abusing the docket. As Huertas explained in his response brief, he is *pro se* and simply did not know that

submitting letters and exhibits without context is bad practice. Toward that end, the Court advises Huertas that the docket is the official record of the filings in the case, which include pleadings and specific requests for relief (i.e., motions), the supporting declarations and briefs needed to show a right to the relief requested, and the Court's decisions and orders disposing of those requests. Cluttering the docket with unnecessary filings creates confusion and interferes with the ability of the Court and the parties "to secure the just, speedy, and inexpensive determination" of the action. Fed. R. Civ. P. 1. Moving forward, Huertas should not file documents outside of the scope described above.

**IT IS ORDERED** that Jennifer Sabatier and Nurse Scott are **DISMISSED** from this case without prejudice.

**IT IS ORDERED** that defendants Waite and Murry's motion to strike letter and exhibits (Dkt. No. 73) is **DENIED**.

Dated at Milwaukee, Wisconsin this 28th day of January, 2021.

s/ Brett H. Ludwig

Brett H. Ludwig

United States District Judge